

**HOAGLAND, LONGO, MORAN,  
DUNST & DOUKAS, LLP**

**ATTORNEYS AT LAW**

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JOAN HOWELL OSBORNE \*\*\*  
ROXANE A. TELECK  
VINCENT M. CARITA \*\*

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JAMES S. NOWAK \*\*  
ERIC C. GENAU \*\*

\*MEMBER NY, NJ & ILL BARS  
\*\*MEMBER NJ & PA BARS  
\*\*MEMBER NJ & FL BARS  
\*\*MEMBER NJ & NY BARS  
\*MEMBER NJ, DC & NY BARS  
\*MEMBER OF PA BAR ONLY  
\*MEMBER OF NY BAR ONLY  
\*MEMBER OF NJ & VA BARS  
\*\*MEMBER OF NJ & AZ BARS  
\*\*\*MEMBER OF NJ, NY & WI BARS  
\*\*MEMBER OF NJ & OH BARS

† CERTIFIED BY THE NEW JERSEY  
SUPREME COURT AS  
A CIVIL TRIAL ATTORNEY

August 7, 2007

Via Facsimile

Judith Yavitz, Esq.  
Anderson, Kill & O'Lick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020

Carol M. Tempesta, Esq.  
Marks, O'Neill, O'Brien & Courtney, P.C.  
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Elmsford, NJ 10523

Greg A. Dadika, Esq.  
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Timothy Fraser, Esq.  
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Florham Park, NJ 07932-1047

David F. Abernethy, Esq.  
Drinker, Biddle & Reath, LLP  
One Logan Square  
18th & Cherry Streets  
Philadelphia, PA 19019

Page 2

McCarter & English  
245 Park Avenue, 27th Floor  
New York, NY 10167-2801

**Re: Felten, Karl H. (In Extremis M07) vs. YORK**  
Our File No.: 5442895 - MSG  
Claim No. (Arrowpoint Capital): 070 00 10701 00  
Claim No. (CNA Insurance Companies - Environmental): 02-109224  
Docket No.: 114005-06

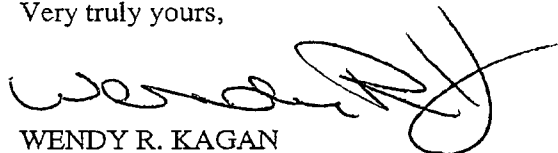
**Holinka, Christian (In Extremis M07) vs. Fisher Scientific**  
Our File No.: 5441279 - MSG  
Claim No.: 02-100964  
Docket No.: 114120-06

Counselors:

Enclosed please find a copy of the filed Order to Show Cause for Admission Pro Hac Vice of Marc S. Gaffrey, Esq., in regard to the above-captioned matters.

Thank you for your attention to the foregoing.

Very truly yours,

  
WENDY R. KAGAN

WRK:hcc  
Enclosures

**AFFIDAVIT OF SERVICE**

HELENA CAMPBELL, being duly sworn deposes and says I am an employee of Hoagland, Longo, Moran, Dunst & Doukas, LLP, the attorneys for Defendants, Mannington Mills Inc., York International Corporation and Fisher Scientific.

That on the 7 day of August, 2007 a copy of the within Order to Show Cause for Pro Hac Vice Admission of Marc S. Gaffrey, Esq. was served, via hand delivery [Addressee original document sent to: James Long, Esq., Weitz & Luxenberg, 180 Maiden Lane, New York NY 10038] and one copy to the following attorneys on the attached service list via facsimile.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SERVICE RIDER**

Judith Yavitz, Esq.  
Anderson, Kill & O'Lick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020  
(Counsel for Amchem Products, Inc. and Certain Teed Corporation)

Carol M. Tempesta, Esq.  
Marks, O'Neill, O'Brien & Courtney, P.C.  
530 Saw Mill River Road  
Elmsford, NJ 10523  
(Counsel for Corning Glass, k/n/a Corning Incorporated  
VWR International, Inc. and Univar USA Inc.)

Greg A. Dadika, Esq.  
Reed Smith LLP  
136 Main Street, Suite 250  
Princeton Forrestal Village  
Princeton, NJ 08540  
(Counsel for Manorcare Health Services, Inc., d/b/a Manor Care, Inc.)

Timothy Fraser, Esq.  
Drinker, Biddle & Reath, LLP  
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Florham Park, NJ 07932-1047  
(Counsel for Baxter Healthcare Corporation)

David F. Abernethy, Esq.  
Drinker, Biddle & Reath, LLP

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law

156 Williams Street  
11th Floor  
New York, NY 10035

One Logan Square  
18th & Cherry Streets  
Philadelphia, PA 19019  
(Counsel for VWR International, Inc and Univar USA Inc.)

McCarter & English  
245 Park Avenue, 27th Floor  
New York, NY 10167-2801

HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP  
Attorneys for Defendant, York International

  
HELENA CAMPBELL

Sworn to before me this 7 day of  
August, 2007

  
NOTARY PUBLIC

MARIE FIORELLO  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Feb. 17, 2009

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law

156 Williams Street  
11th Floor  
New York, NY 10035

018844

REAS. Per 11  
Supreme Court of the State of New York, held in and for the County of New York, at the County Court House, on the 3rd day of August 2007

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

IN RE: NEW YORK CITY  
ASBESTOS LITIGATION

Hon. Joan A. Madden

Plaintiff(s),  
KARL H. FELTEN and ELLEN FELTEN INDEX NO. 114005-06

VS.

Defendant(s),  
A.C. & S., et al.

m. 5th 14: other

Plaintiff(s),  
CHRISTIAN HOLINKA

INDEX NO. 114120-06

VS.

Defendant(s),  
A.C. & S., et al.

ORDER TO SHOW CAUSE

VOL 2  
TOTAL  
CASH  
LONG CASHIER  
723H 1000  
DATE  
11 AUG 02  
TIME  
1:00 PM

PLEASE TAKE NOTICE that, upon the annexed Affirmation of Shazia Chaudhri de Wit, Esq., dated August 1, 2007, and upon the Petition for Pro Hac Vice submitted by Marc S. Gaffrey, Esq., and sufficient cause having been shown, it is

ORDERED, that counsel for the plaintiff and co-defendants show cause in LAS part 11, Room 351, of the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, New York, New York, before the Honorable Joan A. Madden on the 3 day of August, 2007, at 9:30 a.m. or as soon thereafter as counsel may be heard, why an Order should not be entered permitting Marc S. Gaffrey, Esq. to be admitted *pro hac vice* to advise and represent

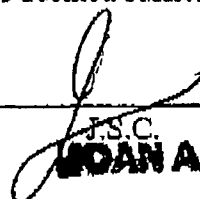
defendants Mannington Mills, Inc., York International Corporation and Fisher Scientific International Inc. in the trial(s) or arguments of all matters in which these defendants have an interest before this Court.

ORDERED That movant shall file with the court a Certificate of Good Standing for the State of New Jersey as to Marc S. Gaffrey.

Hoagland, Longo,  
Oran, Duhaime  
Douglas LLP  
Attorneys at Law  
56 Williams Street  
11th Floor  
New York, NY 10035

ORDERED, that service of copy of this Order to Show to Cause and supporting papers be made on all parties before the 7 day of August, 2007, by serving a copy thereof by personal service on counsel for James Long, Esq. at Weitz & Luxenberg and by facsimile on counsel for all remaining parties, such service shall be deemed sufficient notice.

ENTER:

  
J.S.C.  
JOAN A. MADDEN

Hoagland Longo,  
Morgan, Rust  
& Dunne LLP  
Attorneys at Law

158 Williams Street  
11th Floor  
New York, NY 10035

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**IN RE: NEW YORK CITY  
ASBESTOS LITIGATION**

Hon. Joan A. Madden

**Plaintiff(s),  
KARL H. FELTEN and ELLEN FELTEN**

**INDEX NO. 114005-06**

vs.

**Defendant(s),  
A.C. & S., et al.**

**Plaintiff(s),  
CHRISTIAN HOLINKA**

**INDEX NO. 114120-06**

vs.

**Defendant(s),  
A.C. & S., et al.**

**NOTICE OF WRITTEN PETITION**

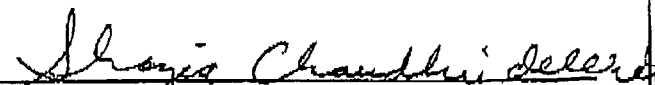
PLEASE TAKE NOTICE that, upon the Petition of Marc S. Gaffrey, Esq., dated August 1, 2007 and upon the supporting and sponsoring Affirmation of Shazia Chaudhri deWit, Esq., sworn to the 1<sup>st</sup> day of August, 2007, Petitioner will move this Court at Room 351, Part 11 of the Supreme Court of the State of New York, County of New York, New York, on \_\_\_\_\_, 2007, at 9:30 am or as soon thereafter as the party or his counsel may be heard, for an Order permitting Marc S. Gaffrey, Esq. to be admitted *pro hac vice* to advise and represent defendants Mannington Mills, Inc., York International Corporation and Fisher Scientific International Inc. in the trial or argument of all matters in which defendants Mannington Mills, Inc., York International Corporation and Fisher Scientific International Inc. have an interest before this Court.

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law

156 Williams Street  
11th Floor  
New York, NY 10035

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served not less than 1 day before the return date.

Dated: August 1, 2007

  
Shazia Chaudhri deWit, Esq.  
Hoagland Longo Moran Dunst & Doukas, LLP  
156 William Street, New York, New York  
Attorneys for Mannington Mills, Inc., York  
International Corporation and Fisher Scientific  
International Inc.

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law  
  
156 Williams Street  
11th Floor  
New York, NY 10039



**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**IN RE: NEW YORK CITY  
ASBESTOS LITIGATION**

Hon. Joan A. Madden

**Plaintiff(s),  
KARL H. FELTEN and ELLEN FELTEN**

**INDEX NO. 114005-06**

**vs.**

**Defendant(s),  
A.C. & S., et al.**

**Plaintiff(s),  
CHRISTIAN HOLINKA**

**INDEX NO. 114120-06**

**vs.**

**Defendant(s),  
A.C. & S., et al.**

**AFFIRMATION OF SHAZIA  
CHAUDHRI DEWIT IN SUPPORT OF  
MOTION FOR ADMISSION PRO HAC  
VICE OF MARC S. GAFFREY, ESQ.**

Shazia Chaudhri deWit, an attorney admitted to practice in the Courts of this State affirms the truth of the following under the penalties of perjury:

1. I am an attorney duly admitted to practice before the Courts of the State of New Jersey and New York. I am an associate in the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP, with offices located at 156 William Street, New York, New York and 40 Paterson Street, New Brunswick, New Jersey.

2. I am one of the attorneys for defendants Mannington Mills, Inc., York International Corporation, and Fisher Scientific International Inc. in the above-captioned actions pending before

this Court and I make this affirmation in support of a motion to admit *pro hac vice* an out-of-state counselor to participate in the defense of these actions.

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law  
  
156 William Street  
11th Floor  
New York, NY 10035

3. Mannington Mills, Inc., York International Corporation, and Fisher Scientific International Inc. have respectfully requested that Marc S. Gaffrey, Esq. of the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP, participate as co-counsel in the defense of these actions.

4. Mr. Gaffrey's qualifications are set forth in his supporting certification, which is annexed hereto as Exhibit "A". Additionally, our office is in the process of obtaining a Certificate of Good Standing on behalf of Mr. Gaffrey and will supplement this application upon receipt of same.

5. This litigation will be materially advanced on behalf of Defendants Mannington Mills, Inc., York International Corporation, and Fisher Scientific International Inc. by the admission of Mr. Gaffrey due to his familiarity with all three clients and the products involved in these cases, as well as his prior involvement in our New Jersey asbestos-related lawsuits involving these clients. A review of the accompanying affidavit demonstrates that he meets the requirements set forth in Section 520.11 of the Rules of the Court of Appeals for admission *pro hac vice* since he is a member in good standing of the New Jersey State Bar and he is otherwise qualified to serve as co-counsel in these matters.

WHEREFORE, an Order is respectfully requested to admit Marc S. Gaffrey, Esq. to serve as co-counselor for Defendants Mannington Mills, Inc., York International Corporation, and Fisher Scientific International Inc. along with Defendants' present attorney of record.

Dated: August 1, 2007  
New York, New York

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law

156 Williams Street  
11th Floor  
New York, NY 10036

  
SHAZIA CHAUDHRI DEWITT

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

IN RE: NEW YORK CITY  
ASBESTOS LITIGATION

Hon. Joan A. Madden

Plaintiff(s),  
KARL H. FELTEN and ELLEN FELTEN INDEX NO. 114005-06

vs.

Defendant(s),  
A.C. & S., et al.

Plaintiff(s),  
CHRISTIAN HOLINKA

INDEX NO. 114120-06

vs.

Defendant(s),  
A.C. & S., et al.

CERTIFICATION OF MARC S.  
GAFFREY, ESQ. IN SUPPORT OF  
ADMISSION PRO HAC VICE

I, Marc S. Gaffrey, Esq., do hereby certify as follows:

1. I am a partner in the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP with offices at 40 Paterson Street, New Brunswick, New Jersey. I respectfully submit this certification in support of my application for admission pro hac vice to the Bar of the State of New York for the purpose of appearing in the above captioned civil action on behalf of Defendant Fisher Scientific International.

2. I am a member in good standing of the Bar of the State of New Jersey and was admitted to practice in New Jersey on December 18, 1987. I am also admitted and in good standing in the United States District Court of New Jersey as of December 18, 1987.

3. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has previously been imposed on me in any jurisdiction.

4. Defendant Fisher Scientific International has retained the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP to both represent them as local counsel in the defense of this

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law  
  
166 Williams Street  
11th Floor  
New York, NY 10035

asbestos product liability action, as well as also represent them as national counsel for all nationwide asbestos product liability actions. The law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP shall remain as attorneys of record in this matter and its New York attorneys shall continue to sign all future pleadings, briefs, and other papers to be filed with the Court.

5. I supervise my firm's environmental department in defending our asbestos-related clients through trial. I have thoroughly reviewed the files relating to the instant matter and am fully familiar with the factual and legal issues involved. It is this Defendant's specific request that I participate in representing it in all aspects of this action.

6. Additionally, the relevant issues in this lawsuit involve areas in which I have had experience, including the defense of asbestos product liability actions on behalf of the firm's other clients in other jurisdictions.

7. My appearance pro hac vice on behalf of Defendant Fisher Scientific International would serve the best interests of my client and would in no way prejudice Plaintiff or impede the progress of the litigation. I believe that my expertise and relationship with this client would help facilitate the completion of discovery and promote an expeditious resolution of this matter.

8. Accordingly, I respectfully request that the Court grant my application for admission pro hac vice.

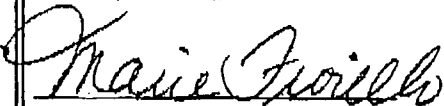
9. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Hoagland, Longo,  
Moran, Dunst  
& Doukas, LLP  
Attorneys at Law

156 Williams Street  
11th Floor  
New York, NY 10036

  
MARC S. GAFFREY, ESQ.

Sworn to before me this  
1st day of August, 2007

  
Notary Public

MARIE FIORELLO  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Feb 1st 2009

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

KARL H. FELTEN and ELLEN FELTEN,

Index No. 114005/06

Plaintiff(s)  
Against  
A.C. & S., ET AL,

Affidavit of Service of  
Order to Show Cause

Defendant(s)  
STATE OF NEW JERSEY, COUNTY OF MONMOUTH, SS:

The undersigned, being duly sworn, deposes and says: deponent is not a party herein, is over 18 years of age and resides at MONMOUTH COUNTY, N.J.

That on August 06, 2007 at 05:35 PM at the address

180 MAIDEN LANE  
NEW YORK, NY 10038

deponent served the within Order to Show Cause

UPON: WEITZ & LUXENBERG, PC\*

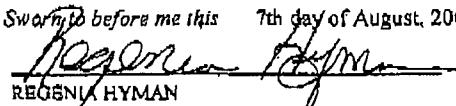
By personally delivering a true copy of the Order to Show Cause to LISA BUSCH, managing agent thereof.

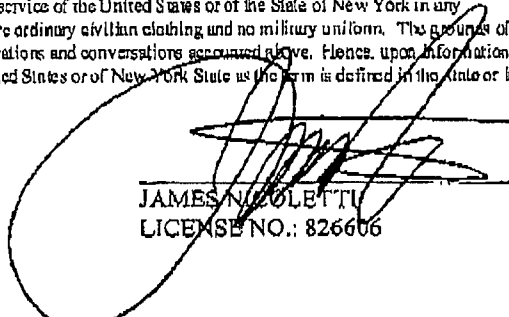
Deponent describes the person actually served as follows:

SEX: FEMALE  
SKIN: White  
HAIR: Brown  
AGE: 36-50  
HEIGHT: 5'4"-5'8"  
WEIGHT: 100-130

I asked the person spoken to whether said served was in active military service of the United States or of the State of New York in any capacity whatsoever and received a negative response. Said served wore ordinary civilian clothing and no military uniform. The grounds of this belief and the source of my information in this regard are the observations and conversations recounted above. Hence, upon information and belief, I assert that the recipient is not in military service of the United States or of New York State as the term is defined in the title or in the Federal statutes.

Sworn to before me this 7th day of August, 2007

  
REGINA HYMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
NO: 01HY6045811  
QUALIFIED IN: NEW YORK COUNTY  
COMMISSION EXPIRES: July 31, 2010

  
JAMES NICOLETTI  
LICENSE NO.: 826606